

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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ALL STAR CARTS AND VEHICLES, INC.,  
H.B. MILLWORK, INC. AND KUSSMAUL  
ELECTRONICS COMPANY, INC.

On behalf of themselves and all others  
similarly situated,

Plaintiffs,

**ORDER**

CV 08-1816 (LDW) (AKT)

- against -

BFI CANADA INCOME FUND, IESI, CORP.,  
IESI NY, CORP., WINTERS BROS.  
RECYCLING CORP., WINTERS BROS.  
WASTE SYSTEMS, INC.,  
WASTE MANAGEMENT, INC.,  
WASTE MANAGEMENT OF NEW YORK, LLC,  
ALLIED WASTE INDUSTRIES, INC.,  
ALLIED WASTE OF LONG ISLAND, INC. and  
ISLAND WASTE SERVICES, LTD,

Defendants.

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**A. KATHLEEN TOMLINSON, Magistrate Judge:**

Before the Court are Defendants' letter motion [DE 81] seeking a protective order with respect to Plaintiffs' notice to depose Defendants Winters Bros. Recycling Corp. and Winters Bros. Waste Systems, Inc., as well as Plaintiffs' letter motion [DE 82] to compel discovery.

Having reviewed the parties' submissions and the applicable case law, I am DENYING Defendants' motion for a protective order. Plaintiffs' motion to compel discovery is GRANTED, in part, and DENIED, in part. A substantive written decision will follow.

**SO ORDERED.**

Dated: Central Islip, New York  
March 31, 2010

/s/ A. Kathleen Tomlinson  
A. KATHLEEN TOMLINSON  
U.S. Magistrate Judge